

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:08CR3078
	)	
v.	)	
	)	
BRANDON LAMARR SMITH-	)	ORDER ON MOTION TO EXTEND TIME
CUSHINGBERRY,	)	IN WHICH TO FILE MOTIONS
	)	
Defendants.	)	
_____	)	

IT IS ORDERED:

1. Defendant Brandon Lamarr Smith-Cushingberry's motion to extend time in which to file motions, filing 27, is granted and the defendant's pretrial motions and briefs shall be filed on or before August 2, 2008.
2. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendants in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between June 18, 2008, and August 2, 2008, shall be deemed excludable time in any computation of the time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).
3. As to all defendants, the trial of this case is continued and will be re-scheduled upon the resolution of any pretrial motions.

Dated June 23, 2008.

BY THE COURT

s/ Warren K. Urbom  
United States Senior District Judge